

### **Remarks**

Reconsideration of the application is respectfully requested in view of the foregoing amendments and following remarks. Claims 18, 67, 68 and 73-91 are pending. Claims 18, 67, 68, and 73-89 are rejected. Claims 18, 67, 68, 73, 74, 77, 83, and 86 are amended.

New independent claims 90 and 91 have been added.

### ***Examiner Interview***

Applicants wish to thank the Examiner for her time and comments during a telephonic interview on February 11, 2008. The Examiner's interpretation of the Pathria reference and proposed claim amendments were discussed. While no specific agreement was reached, the Examiner indicated that the proposed amendments for claim 67 were moving away from the description in Pathria. An updated search is typically performed.

### ***Claim Rejections under 35 U.S.C. § 103***

Claims 18, 67-68 and 73-88 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sobotka et al. (U.S. 5,197,004) in view of Pathria et al. (U.S. 6,728,695) and in further view of Tunkelang (U.S. 2003/0120630).

### **Independent Claim 18 and Dependent Claims 73-76 and 89 are Allowable over Sobotka in view of Pathria and Tunkelang**

Applicants have amended claim 18 so that it now recites a method for finding a plurality of job candidates for a position resembling a single particular employee who previously performed well in the position, the method comprising, in part:

generating desired job candidate criteria via extraction of concepts from job candidate data for the single particular employee who previously performed well in the position, wherein the job candidate data for the single particular employee who previously performed well in the position comprises a resume of the single particular employee who previously performed well in the position.

For example, the application describes "cloning" starting at page 40 line 22, through page 42. As recited, the desired job candidate criteria are generated via extraction of concepts from data (i.e., comprising a resume) of a particular employee having desired characteristics (e.g., the

cloned employee).

As understood by Applicants and generally acknowledged by the Action at page 4, Sobotka does not teach or suggest the above recited language of claim 18, and Tunkelang fails to cure this deficiency in Sobotka with respect to claim 18. Applicants herein point out that Pathria does not cure the deficiency of Sobotka and Tunkelang.

*Pathria's description of a training set does not teach or suggest "resume of the single particular employee who previously performed well in the position."* At column 13, line 64, et seq., Pathria describes:

Matched input/output pairs for model training may come from a variety of sources. For resumes and postings, these sources include company human resource departments and recruiters for employment. If a company keeps resumes it receives from job applicants and knows which of those applicants were hired for what positions, that will provide excellent input, especially regarding that company's hiring practices.

Thus, Pathria does describe "applicants were hired for what positions, that will provide excellent input." However, Pathria is describing model training and is conspicuously silent regarding "resume of the single particular employee who previously performed well in the position."

*Pathria's description of matching documents does not teach or suggest "resume of the single particular employee who previously performed well in the position."* At column 15, lines 15 et seq., Pathria describes "Matching Documents." For example, at column 16, lines 36 et seq., Pathria describes:

In the preferred form of the invention, the user document 14 can be a document description or an exemplar document. In the job search example, a document description is a job posting, and an exemplar document is a resume. A user can enter a job posting and/or a resume and compare it against a corpus of job postings and/or resumes. Predictions are made about entities represented in the contents of the user documents and the corpus documents in relation to each other.

Thus, Pathria does describe "A user can enter a . . . resume and compare it against a corpus of job postings and/or resumes." However, again, Pathria does not mention regarding "resume of the single particular employee who previously performed well in the position."

*Finally, Pathria's description of an "exemplar resume" does not teach or suggest "resume of the single particular employee who previously performed well in the position."* At column 16, lines 19-24, Pathria describes:

If a user enters an exemplar resume and wants the closest matching resumes from a corpus, the models predict for the exemplar and for each resume in the corpus: match probability with the resume; match probability for longevity; match provability for salary; and match probability for relocation.

Still, Pathria is silent regarding “resume of the single particular employee who previously performed well in the position.”

Accordingly, claim 18 is not taught or suggested by Pathria, alone, or in combination with Sobotka and Tunkelang.

Other aspects of the claim also distinguish over the references (e.g., “n-dimensional concept space”). However, in the interest of brevity, Applicants will let the claim speak for itself.

For at least these reasons, independent claim 18 and its dependent claims, 73-76 and 89, are allowable over Sobotka in view of Pathria and Tunkelang. Applicants respectfully request withdrawal of the § 103(a) rejection and allowance of independent claim 18 and its dependent claims 73-76 and 89.

**Independent Claim 67 and Dependent Claim 68 are Allowable over Sobotka, Pathria, and Tunkelang**

Claim 67 has been amended to recite a computer-implemented method of finding a job candidate suitable to fill a position via finding a job candidate for the position resembling a single particular employee who previously performed well in the position, the method comprising, in part:

generating desired job candidate characteristics via extraction of concepts from job candidate data for the single particular employee who previously performed well in the position, wherein the job candidate data comprises a resume of the single particular employee who previously performed well in the position.

As understood by Applicants, Sobotka, Pathria, and Tunkelang, alone or in combination, fail to teach or suggest such an arrangement. Accordingly, independent claim 67 and its dependent claim, 68, are allowable over Sobotka, Pathria, and Tunkelang. Applicants respectfully request withdrawal of the § 103(a) rejection and allowance of independent claim 67 and its dependent claim 68.

**Independent Claim 77 and Dependent Claims 78-82 are Allowable over Sobotka, Pathria, and Tunkelang**

Claim 77 has been amended to recite at least one computer-readable storage medium having stored thereon computer executable instructions, which instructions when executed by a computer system cause to be performed a method of finding a plurality of job candidates for a position resembling a single particular employee who previously performed well in the position, the method comprising, in part:

generating desired job candidate criteria via extraction of concepts from job candidate data for the single particular employee who previously performed well in the position, wherein the job candidate data for the particular employee comprises a resume of the single particular employee who previously performed well in the position.

As understood by Applicants, Sobotka, Pathria, and Tunkelang, alone or in combination, fail to teach or suggest such an arrangement. Accordingly, independent claim 77 and its dependent claims, 78-82, are allowable over Sobotka, Pathria, and Tunkelang. Applicants respectfully request withdrawal of the § 103(a) rejection and allowance of independent claim 77 and its dependent claims 78-82.

**Independent Claim 83 and Dependent Claims 78-82 are Allowable over Sobotka, Pathria, and Tunkelang**

Claim 83 has been amended to recite a system for finding a plurality of job candidates for a position resembling a single particular employee who previously performed well in the position, the system comprising:

generating desired job candidate criteria via extraction of concepts from job candidate data for the single particular employee who previously performed well in the position, wherein the job candidate data for the particular employee comprises a resume of the single particular employee who previously performed well in the position.

As understood by Applicants, Sobotka, Pathria, and Tunkelang, alone or in combination, fail to teach or suggest such an arrangement. Accordingly, independent claim 83 and its dependent claims, 84-88, are allowable over Sobotka, Pathria, and Tunkelang. Applicants respectfully request withdrawal of the § 103(a) rejection and allowance of independent claim 83

and its dependent claims 84-88.

### **Independent Claims 90-91**

Applicants have amended the application by adding independent claim 90. In addition to the reasons given for claim 67, claim 90 is allowable because it recites cloners that:

comprise a role cloner, a skill cloner, a company cloner, an industry cloner, and an education cloner.

As understood by Applicants, Sobotka, Parthria, and Tunkelang, alone or together, fail to teach or suggest such a combination.

For at least these reasons, claim 90 is allowable at this time.

Claim 91 contains the role, skill, company, industry, and education cloner language of claim 90 and is therefore also allowable at this time.

### ***Request for Interview***

If any issues remain, the Examiner is formally requested to contact the undersigned attorney prior to issuance of the next Office Action in order to arrange a telephonic interview.

### ***Drawings Accepted***

Based on the remarks in the Office Action of October 23, 2006, Applicants assume that the drawings are now accepted. Applicants request explicit indication in the next summary.

### **Conclusion**


The claims in their present form should now be allowable. Such action is respectfully requested.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 595-5300  
Facsimile: (503) 595-5301

By

  
Gregory L. Maurer  
Registration No. 43,781